

For EPA Internal Use ONLY

**ASSESSMENT PROGRAM
INFORMATION NEEDED TO DETERMINE SITE ELIGIBILITY (updated 4/11)**

(Use Tab, arrow keys or mouse to move through questions; use Spacebar or mouse to check boxes)

A. BACKGROUND INFORMATION

Date: July 17, 2012

1. Grant number: TBD
2. Grant recipient: City of Chicopee, MA
3. Person providing site information: Lee M. Pouliot
4. Property/site name: Lyman Company Cotton Storage Building
5. Property address: between 101 and 165 Front Street, Assessors Map/Parcel 0096-00031
6. Current property owner: G & W Realty Trust, William S. Wright, Trustee
7. Work to be done: ☒ Phase I ☐ Phase II ☐ Phase III ☐ Other
Explain Other:

B. SITES ELIGIBLE FOR FUNDING

1. Does the site meet the definition of a Brownfields (*a real property, the expansion, redevelopment or reuse of which is complicated by the presence or potential presence of hazardous substances, pollutants or contaminants*)? ☒ Yes ☐ No
2. Type of contamination present: ☒ Hazardous Substances ☐ Petroleum ☐ Co-Mingled
(*If the site has both hazardous substances and incidental petroleum contamination, check the box the "co-mingled" box. If the site has hazardous substances and distinguishable petroleum contamination, you must obtain approval from the State and EPA.*)
3. Describe the operational history and current use(s) of the site: Building and parcel was originally used as cotton storage to serve the Cabotville mills between 1907 and 1932. The Park Tobacco Company purchased the property from the Dwight Manufacturing Company in 1932 and used the building until 1949 when the Industrial Buildings Corporation acquired the property. The site was subsequently sold to the John R. Lyman Corp. in 1961 and has been used as rag storage since that time. The site may have potential environmental conditions based on these past industrial uses and/or hazardous building materials.

4. Describe the environmental concerns at the site, including when and how the site became contaminated and, to the extent possible, the nature and extent of the contamination. If the environmental concerns are unknown, or if the land has been vacant for many years, why do you think it is contaminated? : It is unknown if environmental contamination exists at the subject property. The subject property was a part of the Cabotville Mill Complex that operated as a textile mill on the site as early as 1832. The building on the subject property was constructed in 1925 for cotton storage to support the textile mill operation.
5. Describe the proposed expansion, redevelopment or reuse of the property: The property is proposed to be used as open space as part of a walkway/bikeway along the canal that was constructed to provide water power to the textile mills. This proposed greenway is a reuse recommendation from the West End Brownfields Area-wide Plan, completed through a pilot EPA grant.

C. SITES NOT ELIGIBLE FOR FUNDING

Please answer the following questions to the best of your knowledge:

1. Is your facility listed (or proposed for listing) on the National Priorities List? ☐ Yes ☒ No
2. Is your facility subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA? ☐ Yes ☒ No
3. Is your facility subject to the jurisdiction, custody, or control the US government? (Land held in trust by the US government for an Indian tribe is eligible.) ☐ Yes ☒ No

*Note: If you answered YES to any of the above (C. 1-3) your property is **not** eligible.*

D. SITES NOT ELIGIBLE FOR FUNDING WITHOUT A PROPERTY SPECIFIC DETERMINATION:

Certain properties cannot be approved without a "Property Specific Determination". Please answer the following questions to the best of your knowledge:

1. Is your site/facility subject to a planned or ongoing CERCLA removal action? ☐ Yes ☒ No
2. Has your site/facility been issued a permit by the U.S. or an authorized state under the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act (RCRA)), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SWDA)? ☐ Yes ☒ No
3. Is your site/facility subject to corrective action orders under RCRA (sections 3004(u) or 3008(h))? ☐ Yes ☒ No
4. Is your site/facility a land disposal unit that has submitted a RCRA closure notification under

subtitle C of RCRA or is subject to closure requirements specified in a closure plan or permit?
☐ Yes ☒ No

5. Has your site/facility had a release of polychlorinated biphenyls (PCBs) that is subject to remediation under TSCA? ☐ Yes ☒ No
6. Has your site/facility received funding for remediation from the Leaking Underground Storage Tank (LUST) Trust Fund? ☐ Yes ☒ No

Note: If you answered YES to any of the above (D. 1-6), please call your Project Officer and she/he will explain how to prepare a property specific determination. Refer to Appendix 2, Section 2.5, of the Proposal Guidelines for additional information.

**** For petroleum sites, please proceed to Section F – Petroleum Only Sites**

E. PROPERTY OWNERSHIP ELIGIBILITY

1. Are there any known ongoing or anticipated environmental enforcement actions (at the federal, state or local level) regarding the responsibility of any party for contamination or hazardous substances at the site? ☐ Yes ☒ No If yes, please explain:

Information on Liability and Defenses/Protections - Answer the following if the assessment grant recipient does NOT own the site:

1. Did the assessment grant recipient ever arrange for the disposal of hazardous substances at the site, or transport hazardous substances to the site? ☐ Yes ☒ No
2. Did the assessment grant recipient ever cause or contribute to any releases of hazardous substances at the site? ☐ Yes ☒ No
3. Describe the assessment grant recipient's relationship with the current owner and the owner's role in the work to be completed: The Grant recipient, the City of Chicopee, is proposing to acquire the subject site from the current owner as part of a proposed walkway/bikeway along a canal that was constructed to provide water power to the textile mills.

Information on Liability and Defenses/Protections - Answer the following if the assessment grant recipient owns the site or will own the site during the grant performance period:

1. How was the property acquired (or how will it be acquired)?
 - a. ☒ Negotiated purchase from a private individual

- b. ☐ Purchase or transfer from another governmental unit
 - c. ☐ Tax foreclosure
 - d. ☐ Eminent domain
 - e. ☐ Donation
 - f. ☐ Other (explain):
2. What was the date when the property was acquired (or the anticipated date when it will be acquired)? The property is to be acquired in the summer/fall of 2012 after the Phase I environmental site assessment is completed.
 3. What is the name and identity of the party from whom the property was (or will be) acquired? The property will be acquired from the G&W Realty Trust, Willam S. Wright, Trustee
 4. Describe all familial, contractual, corporate or financial relationships or affiliations the assessment grant recipient has or has had with all prior owners or operators of the property: As a municipality, the grant recipient has collected property taxes from the current and prior owners. The Current owner also participated in an EPA funded Area-Wide Brownfields Planning Grant awarded to the Pioneer Valley Planning Commission of which included the subject property.
 5. Did disposal of all hazardous substances at the site occur before the assessment grant recipient acquired (or will acquire) the property? ☒ Yes ☐ No
 6. Did the assessment grant recipient ever arrange for the disposal of hazardous substances at the site, or transport hazardous substances to the site? ☐ Yes ☒ No
 7. Did the assessment grant recipient ever cause or contribute to any releases of hazardous substances at the site? ☐ Yes ☒ No
 8. Did the assessment grant recipient perform any environmental inquiry prior to the purchase of the property? ☒ Yes ☐ No
 9. If a pre-purchase inquiry was performed, describe the types and dates of the assessments performed, indicate on whose behalf the assessments were performed, and indicate whether the applicant performed the pre-purchase inquiry in accordance with EPA's All Appropriate Inquiry rule (or ASTM E1527-05, or its equivalent at the time of purchase): The pre-purchase inquiry, including a Phase 1 assessment meeting the All Appropriate Inquiry standard will be performed on the subject property prior to the grant recipient acquiring the subject property.

F. PETROLEUM ONLY SITES - PROPERTY OWNERSHIP ELIGIBILITY

Petroleum-only sites are to be submitted to the state for eligibility determination. Please contact your state representative to obtain the information they require to determine site eligibility. As a courtesy, send a copy of the site eligibility information to your EPA Project Officer so he or she is aware of potential upcoming work. The assessment grant recipient must provide their EPA Project Officer with a copy of the state's determination letter. The following questions are typical of the petroleum site information you may need to provide to the state:

1. Did the current and/or immediate past owner dispense or dispose of petroleum or petroleum products, or exacerbate existing petroleum contamination on the site? ☐ Yes ☐ No

Note: If the answers to question F.1 is no, the site may be eligible.

2. If the answer to either question F.1 is yes, did the responsible party take reasonable steps to address the petroleum contamination on site? ☐ Yes ☐ No Explain:
3. If the answer to either question F.1 is yes, is the responsible party financially capable to assess and clean up the site? ☐ Yes ☐ No Explain:

*Note: If question F.1 identified a responsible party who is liable for petroleum contamination at the site, and that party is financially viable to pay for assessment and cleanup costs, then the site is **not** eligible. If the identified responsible party took reasonable steps to address the petroleum contamination at the site, and/or is not financially viable to pay for the assessment and cleanup costs, then the site may still be eligible.*

4. Is the site "relatively low risk" compared with other "petroleum-only" sites in the state:

a. Is the site currently being cleaned up using LUST trust fund monies? ☐ Yes ☐ No

b. Is the site currently subject to a response under the Oil Pollution Act (OPA)? ☐ Yes ☐ No

Note: If the answers to questions F.4a and F.4b are no, the site would be considered to be of relatively low risk for purposes of determining eligibility.

5. Has any responsible party been identified for the site through, either:

a. A judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or cleanup the site: ☐ Yes ☐ No

b. An enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or cleanup the site: ☐ Yes ☐ No

c. A citizen suit, contribution action or other third party claim brought against the current or immediate past owner, that would, if successful, require the assessment, investigation, or cleanup of the site: ☐ Yes ☒ No

6. Is the site subject to any RCRA orders issued under 9003(h) of the Solid Waste Disposal Act? ☐ Yes ☐ No

*Note: If the answer to any of the questions in F.5 or F.6 is yes, the site is **not** eligible.*

G. ACCESS

Does the assessment grant recipient have access or an access agreement for this property?

☒ Yes ☐ No

H. NATIONAL HISTORIC PRESERVATION ACT (NHPA) COMPLIANCE

Note: If you answer yes to any of the following questions you should contact your project officer to determine if any additional information is required.

1. Is your selected property (site) currently listed in the National Register of Historic Places and/or is it a designated National Landmark? ☐ Yes ☒ No

2. Is your selected property (site) eligible to be listed in the National Register of Historic Places? ☒ Yes ☐ No

In order to support your response, please provide any and all documentation from the federal Government and/or State Historic Preservation Officer (SHPO). (i.e., SHPO Determination Letter which you may obtain independent of the EPA process.

3. Is your selected property (site) part of a designated Historic District? ☐ Yes ☒ No

4. Will your project impact the viewshed of any adjacent or surrounding designated Historic Districts or registered historic structures? ☐ Yes ☒ No

5. Does your project have the potential to impact archaeological resources? ☐ Yes ☒ No

I. SITE ELIGIBILITY

(To be filled out by EPA Project Officer.)

The site, at the above-described property, is eligible for assessment work: ☒ Yes ☐ No


Project Officer

7/19/12

Date

Need for Attorney Consultation: ☐ Yes ☒ No Notes:

Additional Information: